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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,741	08/30/2001	Scott R. Wutterson	13914.741	8528
22913	7590	10/12/2004	EXAMINER	
WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY)			CROW, STEPHEN R	
60 EAST SOUTH TEMPLE			ART UNIT	PAPER NUMBER
1000 EAGLE GATE TOWER			3764	
SALT LAKE CITY, UT 84111			DATE MAILED: 10/12/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Action Abandonment
 Response Due 12/12/04
 By AR On 10/12/04
 By pic File # 13914.741


UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

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 Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/943,741

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED:

NOTICE OF ABANDONMENT

This application is abandoned in view of:

- ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on _____.
- ☐ A reply (with Certificate of Mailing or Transmission of _____) was received on _____ which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
- ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 to the final rejection.
 (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
- ☐ A reply was received on _____, but it does not constitute a proper reply, or a *bona fide* attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in the last box below).
- ☐ No reply has been received.
- ☒ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
- ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85) (or Notice of Publication Fee Due).
- ☐ The submitted fee of \$ _____ is insufficient. A balance of \$ _____ is due.
 The issue fee by 37 CFR 1.18 is \$ _____. The publication fee, if required, by 37 CFR 1.18(d) is \$ _____.
- ☒ The issue fee and publication fee, if applicable, have not been received.
- ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTOL-37).
- ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
- ☐ No corrected drawings have been received.
- ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all the applicants.
- ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon filing of a continuing application.
- ☐ The decision by the Board of Patent Appeals and Interferences rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
- ☐ The reason(s) below: _____
 Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

LED

Attachment to Notice of Abandonment

For questions concerning the notice contact

Office of Patent Publication

Image Assistance Center: 888-786-0101.

Information is also available on the USPTO Internet web site:
<http://www.uspto.gov/web/patents/pubs/abandonnotice.html>

Respond to the Notice of Abandonment by one of the following:

- 1. Petition To Withdraw Holding of Abandonment (See MPEP 711.03(c) I and 37 CFR § 1.181) No fee required**

Where an applicant contends that the application is not in fact abandoned (e.g., a reply was in fact filed), a petition under 37 CFR § 1.181(a) requesting withdrawal of the holding of abandonment is the appropriate course of action. Any petition under 37 CFR § 1.181 to withdraw the holding of abandonment not filed within 2 months of the mail date of a Notice of Abandonment may be dismissed as untimely under 37 CFR § 1.181(f). In order for a petition to be granted, the evidence must be sufficient according to 37 CFR § 1.8(b) Certificate of Mailing; 37 CFR § 1.10 "Express Mail" mailing or MPEP 503 Postcard Receipt as Prima Facie Evidence. The petition should be addressed as follows:

By mail: Mail Stop: Issue Fee, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

- 2. Petition To Withdraw Holding Of Abandonment Based On Failure To Receive Office Action (MPEP 711.03(c) II and 37 CFR § 1.181). No fee required**

Where an applicant contends that the original Notice of Allowance and Fee(s) Due was never received, if adequately supported, the Office may grant the petition and remail the Office action. The showing required establishing non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication was not received and attesting to the fact that a search of the file jacket and docket records indicates that the Office communication was not received. A copy of the docket record where the nonreceived Office would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement.

Petition should be addressed to the Technology Center handling the application as follows:

By mail: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

- 3. Petition To Revive An Abandoned Application (See MPEP 711.03(c) III)**

Where there is no dispute as to whether an application is abandoned (e.g., the applicant's contentions merely involve the cause of abandonment) a petition under 37 CFR § 1.137 (a) or (b) (accompanied by the appropriate petition fee) is necessary to revive the abandoned application. The text of these rules is available on the USPTO Internet Web site. Forms for these petitions, "Petition For Revival Of An Application For Patent Abandoned Unavoidably Under 37 CFR § 1.137(a)," PTO/SB/61, and "Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)," PTO/SB/64, are available in the forms section of the USPTO website: <http://www.uspto.gov>.

Petitions under 37 CFR § 1.137 should be addressed to the Office of Petitions as follows:

By mail: Mail Stop Petition, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450
By facsimile: 703-872-9306

Note: Abandonment takes place by operation of law for failure to reply to an Office action or timely pay the issue fee, not by operation of the mailing of a Notice of Abandonment

Country Application

Thursday, October 21, 2004

Page: 2

List Of Actions

Action(s) Due	Due Date		Action Taken
Claim Priority Warning	13-Sep-2001	Reminder	02-Nov-2001
Claim Priority Reminder	27-Sep-2001	Reminder	02-Nov-2001
Claim Priority Due	30-Oct-2001	Due Date	02-Nov-2001
IDS Reminder	30-Oct-2001	Reminder	27-Nov-2001
Information Disclosure Stmtnt	30-Nov-2001	Due Date	27-Nov-2001
MISSING PARTS	04-Dec-2001	Due Date	19-Oct-2001
Send standard letter	28-Feb-2002	Due Date	27-Feb-2002
Verify with Brad	01-Mar-2002	Due Date	21-Mar-2002
Verify	01-Apr-2002	Due Date	08-May-2002
Claim Priority Follow Up Date	02-May-2002	Due Date	02-Nov-2001
IDS Follow Up Date	27-May-2002	Due Date	27-Nov-2001
Foreign Filing 3 Mo. Reminder	30-May-2002	Reminder	06-Aug-2002
Verify	01-Jul-2002	Due Date	11-Jul-2002
Foreign Filing Due	30-Aug-2002	Due Date	06-Aug-2002
Status Check	30-Aug-2002	Due Date	21-Sep-2002
Verify with Bra Follow Up Date	11-Jan-2003	Due Date	11-Jul-2002
Foreign Filing Follow Up Date	06-Feb-2003	Due Date	06-Aug-2002
Check Status	30-Aug-2003	Due Date	05-Sep-2003
RESPONSE	03-Dec-2003	Reminder	23-Mar-2004
Draft response	26-Dec-2003	Due Date	16-Mar-2004
RESPONSE	03-Jan-2004	Due Date	26-Feb-2004
2 month extension deadline	03-Mar-2004	Due Date	23-Mar-2004
EXT. RESPONSE	03-Mar-2004	Reminder	26-Feb-2004
EXT. RESPONSE	03-Apr-2004	Due Date	23-Mar-2004
check status	30-Aug-2004	Due Date	26-Nov-2003
Verify abandonment	26-Oct-2004	Due Date	
Verify abandonment	12-Dec-2004	Due Date	

User ID: apalmer

Date Created: 18-Apr-2001

Last Update: 20-Oct-2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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NOTICE OF ALLOWANCE AND FEE(S) DUE

022913 7590 06/02/2004

WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER
& SEELEY)
60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

EXAMINER

CROW, STEPHEN R

ART UNIT

PAPER NUMBER

3764

DATE MAILED: 06/02/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,741	08/30/2001	Scott R. Watterson	13914.741	8528

TITLE OF INVENTION: ELLIPTICAL EXERCISE DEVICE WITH LEAF SPRING SUPPORTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	09/02/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS** FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

☐ Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

Complete and send this form, together with applicable fee(s), to: **Mail**

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

or **Fax (703) 746-4000**

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

022913

7590

06/02/2004

WORKMAN NYDEGGER (F/K/A WORKMAN NYDEGGER & SEELEY)
60 EAST SOUTH TEMPLE
1000 EAGLE GATE TOWER
SALT LAKE CITY, UT 84111

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,741	08/30/2001	Scott R. Watterson	13914.741	8528

TITLE OF INVENTION: ELLIPTICAL EXERCISE DEVICE WITH LEAF SPRING SUPPORTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	09/02/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
CROW, STEPHEN R	3764	482-051000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1	_____
2	_____
3	_____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☐ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☐ Issue Fee
- ☐ Publication Fee
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

UNITED STATES PATENT AND TRADEMARK OFFICE

Effective October 1, 2003

Any fee amount paid on or after October 1, 2003, must be paid in the revised amount.

The fees subject to reduction for small entities that have established status (37 CFR 1.27) are shown in a separate column.

For additional information, please contact the General Information Services Division at (703) 308-4357 or (800) 786-9199.

Fee Code	37 CFR	Description	Fee	Small Entity Fee (if applicable)
Patent Application Filing Fees				
1001/2001	1.16(a)	Basic filing fee - Utility	770.00	385.00
1201/2201	1.16(b)	Independent claims in excess of three	86.00	43.00
1202/2202	1.16(c)	Claims in excess of twenty	18.00	9.00
1203/2203	1.16(d)	Multiple dependent claim	290.00	145.00
1051/2051	1.16(e)	Surcharge - Late filing fee or oath or declaration	130.00	65.00
1002/2002	1.16(f)	Design filing fee	340.00	170.00
1007/2007	1.16(f)	Design filing fee (CPA)	340.00	170.00
1003/2003	1.16(g)	Plant filing fee	530.00	265.00
1004/2004	1.16(h)	Reissue filing fee	770.00	385.00
1009/2009	1.16(h)	Reissue filing fee (CPA)	770.00	385.00
1204/2204	1.16(i)	Reissue independent claims over original patent	86.00	43.00
1205/2205	1.16(j)	Reissue claims in excess of 20 and over original patent	18.00	9.00
1005/2005	1.16(k)	Provisional application filing fee	160.00	80.00
1052/2052	1.16(l)	Surcharge - Late provisional filing fee or cover sheet	50.00	25.00
1053	1.17(i)	Non-English specification	130.00	
Patent Post-Allowance Fees				
1501/2501	1.18(a)	Utility issue fee	1,330.00	665.00
1502/2502	1.18(b)	Design issue fee	480.00	240.00
1503/2503	1.18(c)	Plant issue fee	640.00	320.00
1504	1.18(d)	Publication fee for early, voluntary, or normal publication	300.00	
1505	1.18(d)	Publication fee for republication	300.00	
Patent Maintenance Fees				
1551/2551	1.20(e)	Due at 3.5 years	910.00	455.00
1552/2552	1.20(f)	Due at 7.5 years	2,090.00	1,045.00
1553/2553	1.20(g)	Due at 11.5 years	3,220.00	1,610.00
	1.20(h)	Surcharge - Late payment within 6 months	130.00	65.00
1557	1.20(i)(1)	Surcharge after expiration - Late payment is unavoidable	700.00	
1558	1.20(i)(2)	Surcharge after expiration - Late payment is unintentional	1,640.00	
Miscellaneous Patent Fees				
1801/2801	1.17(e)	Request for continued examination (RCE) (see 37 CFR 1.114)	770.00	385.00
1808	1.17(i)	Processing fee, except in provisional applications	130.00	
1803	1.17(i)	Request for voluntary publication or republication	130.00	
1802	1.17(k)	Request for expedited examination of a design application	900.00	
1804	1.17(n)	Request for publication of SIR - Prior to examiner's action	920.00*	
1805	1.17(o)	Request for publication of SIR - After examiner's action	1,840.00*	
1806	1.17(p)	Submission of an Information Disclosure Statement	180.00	
1807	1.17(q)	Processing fee for provisional applications	50.00	
1809/2809	1.17(r)	Filing a submission after final rejection (see 37 CFR 1.129(a))	770.00	385.00
1810/2810	1.17(s)	For each additional invention to be examined (see 37 CFR 1.129(b))	770.00	385.00
1811	1.20(a)	Certificate of correction	100.00	
1812	1.20(c)(1)	Request for ex parte reexamination	2,520.00	
1813	1.20(c)(2)	Request for inter partes reexamination	8,800.00	
1814/2814	1.20(d)	Statutory disclaimer	110.00	55.00

* Reduced by basic filing fee paid.

PAYMENTS FROM FOREIGN COUNTRIES MUST BE PAYABLE AND IMMEDIATELY NEGOTIABLE IN THE UNITED STATES FOR THE FULL AMOUNT OF THE FEE REQUIRED.

WORKMAN NYDEGGER

A PROFESSIONAL CORPORATION
ATTORNEYS AND COUNSELORS
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SALT LAKE CITY, UTAH 84111
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To: Blanche May (Image Assistance Center) UNITED STATES PATENT AND TRADEMARK OFFICE

Fax No.: (703) 308-50⁶⁵~~56~~

No. of Pages: 11 (incl. this page)

From: David B. Dellenbach

Date: October 21, 2004

File No./Subject: **PETITION UNDER 37 C.F.R. § TO WITHDRAW HOLDING OF
ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Patent Application

Serial No.: 09/943,741

Filing Date: August 30, 2001

Title: ELLIPTICAL EXERCISE DEVICE WITH LEAF SPRING SUPPORT

Our File: 13914,741

**Applicants request that copies of the Notice of Allowance and Notice of Allowability
be sent to Applicants' counsel.**

PRIVILEGED AND CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS ATTORNEY PRIVILEGED AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

**IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (801) 533-9800
AS SOON AS POSSIBLE**

FAX OPERATOR: _____	TIME SENT _____	A.M./P.M. _____	CONFIRMED _____	A.M./P.M. _____
UNABLE TO SEND: _____	Incorrect telephone number _____	UNABLE TO CONFIRM: _____	No telephone number _____	
	No answer _____		After hours _____	
			No answer _____	

FILED VIA FACSIMILE (703) 308-5056

PATENT APPLICATION
Docket No. 13914.741

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

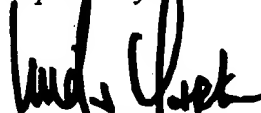
In re application of)	
	Watterson, et al.)	
Serial No.:	09/943,741)	
Filed:	August 30, 2001)	Art Unit
Confirmation No.	8528)	3764
For:	ELLIPTICAL EXERCISE DEVICE WITH LEAF SPRING SUPPORT)	
Examiner:	Stephen R. Crow)	

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being filed with the U.S. Patent and Trademark Office via facsimile to Attn: Blanche May – Image Assistance Center, Examiner U.S. Patent and Trademark Office, facsimile number: (703) 308-5056 this 21 day of October, 2004:

- Transmittal for Petition Under 37 C.F.R. § 1.181 to Withdraw Holding of Abandonment Based on Failure to Receive Office Action (1 page)(in duplicate)
- Petition Under 37 C.F.R. § 1.181 to Withdraw Holding of Abandonment Based on Failure to Receive Office Action Amendment After Notice of Allowance Under 37 C.F.R. § 1.312 (2 pages)
- Copy of Notice of Abandonment (3 pages)
- Copy of Docket Record (2 pages)

Respectfully submitted,



Linda Clark, Assistant to
David B. Dellenbach
Attorney for Applicants
Registration No. 39,166
Customer No. 022913
Telephone No. (801) 533-9800

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WEBSITE: [HTTP://WWW.WNLAW.COM](http://www.wnlaw.com)

VIA FACSIMILE (703) 308-5065

PATENT APPLICATION
Docket No. 13914.741

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson, et al.

Serial No.: 09/943,741

Filed: August 30, 2001

Conf. No.: 8528

For: ELLIPTICAL EXERCISE DEVICE WITH LEAF
SPRING SUPPORTS

Examiner: Stephen R. Crow

TRANSMITTAL FOR PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION

VIA FACSIMILE (703) 308-5065
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith for filing is a PETITION UNDER 37 C.F.R. § 1.181 TO

WITHDRAW HOLDING OF ABANDONMENT BASED ON FAILURE TO RECEIVE OFFICE

ACTION in the above-identified patent application.

Dated this 21 day of October 2004.

Respectfully submitted,

[Signature]

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PATENT APPLICATION
Docket No. 13914.741

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Watterson, et al.

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